

DIX APPEALS FOR \$10,000,000

GOVERNOR WANTS PEOPLE TO GIVE A STATE BUILDING FUND.

Tells the Albany Society He's Thinking of Making Such a Request—State Finances Worry Him—Jibes for Troy at the Dinner of Rival Townsmen.

Gov. Dix is going to ask the people of the State to make up a fund out of which the Capitol can be repaired and a fireproof library and permanent institutional buildings constructed. He told the Albany Society last night at the Hotel Plaza that he is going to make an appeal for an amount that will represent \$1 for every person, about \$10,000,000 in all.

The Governor, noisily heralded by an enthusiastic Albanian who sprang up suddenly in the centre of the ballroom, arrived at a time when most of the society were sneering enthusiastically at Terrible Troy; when folks were jumping up and shaking each other by the hand just because all of them happened not to have been born in said Troy, and when there was much hilarity and whoopitiveness.

But when Mr. Dix got up and began to talk about things the State needs and how hard it will be to get them if people aren't generous, the Albanians quieted and became serious for at least thirty minutes.

Without precisely saying so the Governor indicated that he is worried about the condition of the State's finances, particularly since the fire in the Capitol.

With the necessity of keeping down expenditures he must raise a lot of money somewhere to put the Capitol in shape, erect a building where invaluable State papers will be safe and provide for new buildings that several institutions must have. Thinking the problem over he came to the conclusion that the only way out was a direct appeal to the generosity of the people. The Governor didn't say when the appeal will be made, but he intimated that it would come soon.

The Albany Society and its guests seemed to think the notion a good one. Long before the Governor arrived the society, 300 strong, was singing its way through the courses that started with "Albany beef, smoked and pickled by Piet and Lena Osterhout Ten Eyck" (Secretary Liwy said there weren't any such persons, but that the old Dutch names sounded good and they slammed on it).

Charles Thaddeus Terry, president of the Albanians, presided, with a seat on his right reserved for Gov. Dix. William H. McElroy of the Tribune (in whose honor a song was composed and sung) sat at President Terry's left. The others at the main table were Mayor James B. McEwan of Albany, Joseph A. Lawson, Amasa J. Parker, Thomas Wilson, Lieutenant-Commander Eckford De Kay, the Governor's very ornamental military naval secretary, Louis Stern, James V. Barry, William A. Walker and William Barnes, Jr.

About 9 o'clock Charles Thaddeus Terry, the president, decided it was time to start something, so he got up and girded at modern Troy. Maybe you have stood in the Grand Central station at Albany and heard the train caller condensingly announce that the rattler was about to light out for Troy. Having heard that train caller you can understand what withering scorn the human voice can throw into the one word, Troy. Mr. Terry was there with the wither.

Mr. Terry said that what the Albany society needs is a big clubhouse here in New York city. He asked the Albanians to get busy and make it possible.

After Mr. Terry got through and before the Governor smiled in there were many things done, among them an original poem by Ellwood Hendrick. Mr. Hendrick moved the poem's feet so fast that lots of it ran away from the reporters, but this verse somehow stuck:

Albany! Albany! Albany!
Albany! Albany! Albany!
Albany! Albany! Albany!
Albany! Albany! Albany!
How could a mere boy know
That there in all thy beauty wert the reflex, wert the glow.

The vision and the consciousness, the realizing sense of Albany, and what she is to youth and innocence.

In came the Governor with Commander De Kay and sat down to much applause. William H. McElroy, of whom much was made by the banqueters, was called on to introduce the Governor. Mr. McElroy said that in estimating the Governor's merits he was reminded of Lowell's remark about Emerson—"A unique example of the power of character." What the people of New York like about Mr. Dix, he said, was the character he has shown in private and public life.

"Whatever may be our politics," said Mr. McElroy, "we agree that he stands for all that is pure and noble and of good report." [Applause.]

The Governor looked a little fagged after a steady day's work in Manhattan, but he got at once to topics he appears to be most interested in—forest preservation and water conservation. He got to them, that is, after he had patted his Albany friends on the back and said he couldn't understand why anybody ever left Albany. However, judging from his experience in the last three months and a half, he fancied that most of them were returning. [Laughter.]

Then the Governor began to talk about how necessary it is for something to be done in the way of raising money for a new State library, for the repairs of the Capitol and for other improvements that must be had.

"I appeal," said he, "to all the citizens of the State. Now is the time for them to show their loyalty and their patriotism. We have lost a great library, although Dr. Draper's foresight saved for us Washington's farewell address and other priceless manuscripts.

"Two years ago Dr. Draper told me that he was afraid of a fire in the Capitol and that he had taken some of the invaluable manuscripts and put them in his safe. It was well that he did. We thought at first that Washington's sword, the one presented to him by Frederick the Great,

had been destroyed, but it was found in the debris, and I believe it can be repaired, although it is greatly damaged.

"This great loss we have sustained, together with the development of our State institutions, will require money. There is \$2,000,000 needed for a new library, about \$2,000,000 for the Capitol repairs and a great deal of money for the other things. I think it will require about \$1 from every person in the State. Gentlemen, if an appeal is made I know that you will rise to it. [Applause.]

Others who spoke were Republican State Chairman William Barnes, Jr., Don C. Seitz and Louis Liwy.

TO TELL OF WOMEN DRINKING.
Atlanta Club Men Called to Testify in Court—Move to Close a Club.

ATLANTA, April 19.—A sensation was caused in Atlanta clubs and social circles this afternoon when subpoenas were served on several leading club men requiring them to appear in court on Saturday to testify in regard to drinking done by women in the Capitol City Club, the leading social organization of Atlanta.

Among those subpoenaed are John W. Grant, Reuben Arnold, William Humphrey and D. Van Dyke, all leaders in the club life of Atlanta.

BRIBE LAW IN CARNEGIE CASE

GRAND JURY SUBPENAS FOR CUMMINS AND REICHMANN.

Any One Privy to Bribery Must Tell About It—New Indictments Expected To-day Based on Check Kiting—To Ask Persecution About Hyde—No Sale of Assets.

It is expected that William J. Cummins and Joseph B. Reichmann, already under indictment in the Carnegie Trust Company case and under bail, will be arraigned to-day on several fresh indictments charging the larceny of \$600,000 altogether. A more interesting matter is that they are likely to be served with subpoenas calling on them to appear before the Grand Jury and answer whatever questions are put to them under section 381 of the penal laws, which relates to bribery and corruption. The section says:

A person offending against any provision of any section of this chapter relating to bribery and corruption is a competent witness against another person so offending, and may be compelled to attend and testify upon any trial, hearing, proceeding or investigation in the same manner as any other person. But the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying. A person so testifying to the giving of a bribe which has been accepted shall not thereafter be liable to indictment, prosecution or punishment for that bribery, and may plead or prove the giving of testimony accordingly in bar of such indictment or prosecution.

Cummins has said that he would welcome a chance to appear before the Grand Jury, but it was understood he desired to go voluntarily. One of his lawyers, Stephen C. Barwick, said recently that he would not permit any client of his to appear in such circumstances before the Grand Jury and it is possible that there may be a fight made to-day by Cummins's counsel. The Tennessee financier is under bail of \$50,000 on three indictments returned against him several weeks ago which charged the larceny of \$335,000. Joseph B. Reichmann is under \$10,000 bail at present on a misdemeanor, forgery in the fourth degree, consisting, according to the indictment, of the making of a false report to the Banking Department concerning the \$130,000 loan made by Robin of the Northern Bank to the Carnegie Trust Company.

Both Cummins and Reichmann are here and it was said last night that they will be in the Supreme Court this afternoon by the time the Grand Jury reports. There is a probability that the District Attorney will not require any more bail from either.

Some of the indictments expected relate to alleged check kiting by Cummins and Reichmann. The Grand Jury has been working for several weeks on this phase of the investigation and it was not until yesterday afternoon that several links of the chain were connected up. For two hours clerks of the Carnegie Trust Company were examined as to what they knew about check kiting that is said to have totalled \$250,000.

This afternoon, having cleared away the internal affairs of the Carnegie Trust Company, the Grand Jury will resume its inquiry into the relation of loans got by Cummins to city deposits in the banks that made the loans. Comptroller Prendergast will be asked to appear before the Grand Jury to tell what he knows about the administration of City Chamberlain Hyde. Cummins and Reichmann will be called to appear to-morrow, if not late this afternoon.

Both offers for the assets of the Carnegie Trust Company have been rejected. The offer of the Assets Realization Company as amended on Monday last has been submitted by Bank Superintendent Cheney to the committee of bankers called in as advisers and they have advised against accepting it. Mr. Cheney wrote yesterday to John R. Bland, chairman of the depositors' committee, that unless the committee could satisfy him that the decision was unwise he should at once notify the Assets company that the offer was declined. As to the offer of E. Clarence Jones, he had been convinced on examining it that its acceptance was impossible. Mr. Bland wrote back that the depositors he represented approved the rejection of both offers.

Supreme Court Justice Greenbaum denied yesterday Bank Superintendent Cheney's application for permission to assign the Carnegie Trust Company's claims against the Platt Iron Works of Dayton, Ohio, to the creditors' committee of the Platt iron works that is planning to reorganize the plant. The court, however, appointed Charles F. Brown as referee to determine whether the Carnegie Trust Company should join in the plan.

The court said that the proposed agreement confers practically unlimited power on the reorganization committee. He thought that the Banking Superintendent might have power to join in the agreement, but that Mr. Cheney's petition is "colorless and devoid of a statement of facts which would justify the court in drawing any conclusion." For this reason Mr. Brown was named to report on the probable success of the reorganization plan, in order to aid the conscience of the court.

Among the assets of the Carnegie Trust Company are \$308,000 of notes of the Platt Iron Works, of which \$226,000 is for borrowed money and \$82,000 for a draft drawn by the corporation on the trust company. His opinion, he said in his petition, was that it was for the best interest of the Carnegie to join in the plan of reorganization in order to keep the plant going, with the possibility of selling at an advantageous price. For this purpose certain creditors have formed a creditors' committee, which is composed of W. C. Poillon, Henry Rogers, Winthrop of Harris, Winthrop & Co., Bradley Martin, Jr., Edward T. Perrine and W. H. Taylor, all representing banking institutions which hold obligations of the iron works and have approved the plan.

Injured Ballistoon Dies.
Special Cable Dispatch to THE SUN.
BERLIN, April 19.—Capt. Oldmann, one of the ballistoon thrown from the balloon car at Dresden on Sunday, died to-day. Two others of the four injured are still unconscious.

SPANISH POLITICAL RIOT.
Blood Spilled and Crowns Cracked When Carlists and Republicans Clash.
Special Cable Dispatch to THE SUN.
LOVE, Spain, April 19.—Carlists and Republicans clashed in the streets here to-night. Much bloodshed and many broken heads resulted. No one was killed, however.

FORTUNE HANGS ON PICTURE.
New York Woman Claims \$55,000 Estate in Los Angeles.

LOS ANGELES, April 19.—Having been notified by J. Newton Williams, a New York attorney, that Marie A. Stuart of 146 Vesey street, that city, claims the estate of William Brady, who died here in October, 1909, Frank Bryson, public administrator, has called on her to produce a photograph in support of her claim.

If the photograph proves to be that of Brady she probably will receive his estate valued at \$55,000.

Brady was a man of mystery. When he died no will could be found. His wife and only child died years ago. Miss Stuart claims she married him in Booth Bay, Me., in August, 1897, when he was known under the name of Campbell. Later he left her.

On Christmas morning, 1905, while she was working in Bellevue Hospital, she received a will signed William Brady. The photograph she has of her husband is expected to identify the man who died, who was known as Brady, as the one she married.

At 146 West 104th street Marie Stuart said last night that she knew of no photograph that she could produce to get \$55,000. She said that in the summer of 1897 she married William A. Brady of Los Angeles. The marriage took place in Booth Bay, Me. He was 60 years old; she was 21.

In 1908 Brady went away, said Miss Stuart, and in 1909 she heard that he had died. Since then she has been trying to get her share of the estate.

Kaiser's Armour's Guest.
William Entertained at Luncheon on Board the Yacht Utowana.

Special Cable Dispatch to THE SUN.
CORFU, April 19.—Kaiser Wilhelm was the guest of Allison V. Armour at luncheon to-day on board the steam yacht Utowana.

Called Each Other Liars.
Row Between John Hays Hammond and Sully's Counsel That Broke Up Hearings.

WASHINGTON, April 19.—John Hays Hammond, the mining engineer, who has been named as this country's special Ambassador to the coronation of the King of England, had a fine row to-day with John C. Gittings, counsel for Daniel J. Sully in the suit which Sully has brought against Mr. Hammond to prevent the transfer of certain stock in the General Cotton Securities Company. The row broke up the taking of testimony in the suit and Hammond, acting on the advice of his counsel, refused to say anything further except under direction of the court. The mining engineer charged that Gittings was trying to mislead and trap him into misstatements.

"Do you mean to say I have trapped you?" asked Gittings.

"I mean to say you are picking at something to trap me in my reply by confusing"—began Mr. Hammond, but he was interrupted by Gittings.

"I say you are stating a falsehood!" shouted Gittings.

"And I say," thundered Hammond, "that you tell one!"

For a moment it looked as if Hammond's right arm was going to be brought into action. He held forward in his chair, but on second thought apparently controlled himself.

Mr. Hammond's counsel thereupon advised him to close the hearing. Whereupon the mining engineer arose and departed with his friends, leaving Sully's counsel and the others alone in the rooms.

MILLARD'S VANILLA CHOCOLATE
satisfies the hostess—more than please her guests.—Ad.

GREAT BEAR SPRING WATER
50c. per case of 6 glass stoppered bottles.—Ad.

COHALAN FOR JUDGE

In O'Gorman's Place—Murphy Back Won't Discuss Legislation.

Charles F. Murphy, who has been at Hot Springs, Ark., for the last two weeks, returned yesterday. He was at Tammany Hall until late in the afternoon and saw many of the district leaders. He did not wish to comment on any of the bills now pending before the Legislature, giving as a reason that any views he might state would be apt to be construed as meddling with the business of the Legislature.

Gov. Dix and Mr. Murphy and Daniel F. Cohalan, it was stated, had a conversation before Mr. Murphy left for Hot Springs concerning the appointment by the Governor of a Supreme Court Justice to succeed Justice O'Gorman, and it was revealed last night that Gov. Dix is to appoint within a few days Mr. Cohalan to the vacancy.

Senator O'Gorman and Mr. Murphy had a short talk and it was made known that the Senator had joined with Gov. Dix in pushing the Federal income tax amendment in the absence of Mr. Murphy at Hot Springs. Senator O'Gorman returned to Washington last night, saying that he would sail for Europe on June 17. The Senator had his passage engaged for himself and his family before his election.

POLAR DASH IN WINTER.
Amundsen's Advance South to Be Begun in February—Desperate Blanks.

SPECIAL CABLE DISPATCH TO THE SUN.
LONDON, April 19.—Capt. Amundsen is attempting apparently to reach the south pole by starting at the end instead of at the beginning of the brief Antarctic summer. He thus faces the tremendous risk of travelling through the hardships of winter.

After the Fram reached Buenos Ayres on March 17 the captain of the ship filed a message from Amundsen to his agents in Christiania, wherein the explorer says: "The dash south begins upon the departure of the Fram."

The exact day upon which the Fram sailed for Buenos Ayres is not stated, but it is recalled that the Terra Nova found her in the Antarctic on February 4 and the march southward had not then begun, so far as was known.

As February in the south corresponds to August in the northern hemisphere, Amundsen's party, if it started immediately, would be taking hazards never known to have been taken before.

It is thought here that it is impossible for the party to cover the 1,400 miles to and from the pole without encountering the rigors of the terrific winds which make the Antarctic winters so horribly severe that human life is hardly to be maintained.

Scott's plan was to start for the pole in October next. Thus Amundsen anticipates him by several months.

IN BEHALF OF PATRICK.
Claim That Embalming Fluid Would Produce the Condition Found in Rice's Body.

ALBANY, April 19.—The New York State Association of Embalmers, holding its annual convention here, claims to have proved by experiments that testimony given in the trial of Lawyer Albert T. Patrick for the murder of William Marsh Rice, regarding the condition of the dead man's lungs was wrong. The prosecution in the Patrick case contended that the congealed condition of old man Rice's lungs was due to the administration of chloroform and not to the injection of embalming fluid, as claimed by the defence.

Dr. C. F. Moadinger of Brooklyn contended that embalming fluid administered in the right bronchial artery would produce such a condition as was found in Rice's body. The Medical Legal Society of New York city, which is interested in this experiment, intends, it is understood, to permit its result to be used in another appeal in Patrick's behalf so to be made to Gov. Dix.

DREYFUS'S BODY IN THE RIVER.
Missing Importer Found Drowned Not Far From His Home.

The body of Achille Dreyfus, the missing importer, who lived at 106 East Eighty-second street, was found on Saturday in the East River at the foot of Eighty-third street. It was identified at the Morgue yesterday by John Di Luca of 44 Maple street, Richmond Hill, formerly an employee of Dreyfus.

Dreyfus, according to the stories told at the time of his disappearance, had been a prosperous steel importer, but lost money over an invention said to have been a device for the use of printers. His wife said at the time that he got into debt heavily and that the night before he disappeared he told her of notes he had made and said that his affairs looked pretty bad. The next morning at the wife's suggestion they went to see a friend of Mr. Dreyfus's at the friend's office. Dreyfus left the office a little in advance of his wife and when she got downstairs he was not in sight. She heard nothing more of him.

Mr. Dreyfus had made a number of friends in the neighborhood in which he lived and was a member of the Masonic order. These various friends, it was said last night, got together a few weeks after his disappearance and sent his wife and twin children back to the wife's home in the West.

GIRL PULLED OUT OF RIVER.
She Had Jumped In After Talking With Her Mother, Who Opposed Her Marriage.

An eighteen-year-old Bohemian girl, Elizabeth Blohmann, living at 710 East Thirtieth street, late yesterday afternoon came from an East Side shirtwaist factory and found her mother waiting to escort her home. Mrs. Blohmann recently had been told by her daughter that the daughter is to be married to an American born operator in the factory, a match which the mother disapproved for religious reasons.

The girl after an argument with her mother turned away and walked northward. At East Sixteenth street she turned toward the East River and went on the dock next to the Willard Parker Hospital.

Dr. Sexton of the hospital staff happened to look out of the window of a ward just as the girl jumped from the stringpiece into the river. The shouts of the physician and others attracted the attention of some sailors in a navy launch coming down the river on their way to the Brooklyn navy yard. The launch was swung about and the sailors reached over the gunwale and pulled Elizabeth out of the water by the hair.

GEO. W. LEDERER AS A BURGLAR

LOCKED OUT, HE USED A LADDER TO GET IN.

But Some One Who Saw Northeast Corner of Riverside Drive and Seventy-ninth Street at 3:15 A. M. Yesterday Quickly Caused the Police to Come.

"Po-po-po—police Headquarters!" "Yup."

"Quick! There's a ladder in front of the house across the way, the house at the northeast corner of Seventy-ninth street and Riverside Drive, and burglars and a taxicab in front, and somebody has just gone up the ladder and into the house and they're taking goods out of the house and piling them into the taxicab, and maybe the family is away, and—"

Headquarters waited for no more (the time was 3:15 o'clock yesterday morning), but hung up and telephoned Lieut. Austin, who was on the desk at the West Fifty-eighth street police station house. Lieut. Austin spanned a bigger octave than Paderewski ever dreamed of, at the same time accompanying himself by hollering for reserves and things.

The lieutenant was trying to ring all the electric call bells in the station house at one moment. To get quicker action he banged the desk with a nightstick and kicked the baseboard with both feet while hollering. Then he sprang to the window and blew whistle calls out upon the night.

The main division of the infantry charge upon the burglars was headed by Lieut. Sullivan. Half way to the battlefield Sullivan came across Lieut. Robert Quinn and Quinn also was drafted. The main body of the blue army was made up of reserves and they were flanked and fronted and reared by Detectives McCormick, Flynn, Healy and Devery and by Patrolmen Ballou, Rooney, White and a number of other patrolmen who heard the whistles and answered the call to duty.

Sure enough there was a house on the northeast corner of the Drive and Seventy-ninth street. Against an open window rested the top of a short ladder. In front of the door was a taxicab clamping at its carburetor.

When policemen enter a house where they believe is a burglar or more with a gun they draw lots quickly to see who shall have the honor of leading the way. If one cop just jumped right ahead of the others and entered first the rest of them would have good grounds for getting sore over thus being robbed of the glory which they covet. And so they all drew lots yesterday morning and Policeman Mooney was strong with the honor of leading the way up the ladder.

Mooney didn't find anybody in the drawing room which he entered. Everything seemed orderly. The rappings with nightsticks on the side of the house in the meantime brought a man to an upper window.

"What the—what's the matter?" demanded the man from the upper window. "Come down here!" yelled the blue and plain clad army. And they explained to the man and to the nighties assembled now in nearby houses that he was a crook, a burglar, robber and thief, and that he'd better come while the coming was good. They told him that they already had discovered the ladder, the open window and the taxicab in which he was going to take the plunder away.

"My name is George Lederer," the voice above insisted above the uproar. "I'm the theatrical producer. This is my house and I've got some right to be here, haven't I? I put that ladder up, and if anybody says I took things out of the window he [this defiantly to the pajamaed and nightied windows of the neighbors] or she is a liar."

Mr. Lederer came down then and explained. He had just come home in the taxicab, he told the cops, and learned that he had forgotten to carry a key with him. In a nearby yard was a ladder which he had noticed on Tuesday, so he just borrowed the ladder for a moment to climb to the window and enter in that way, so that the family and servants wouldn't be unnecessarily aroused.

Also he had then invited the chauffeur in to rest a minute and give it a name, Scotch or rye. Would the army also step in and partake of a pannikin of whey or something? The army looked thoughtful for a moment.

"Thank you, Mr. Lederer," chorused the army after a while. "It's against orders for us to drink on duty, you know. But thanks, ever so much, just the same."

"Oh, just a little stinky drink. Come on."

"No, but we thank you very, very much, just the same."

And so all the policemen left the corner immediately and went back to station house or post unrefreshed, but with that greater spiritual satisfaction of knowing that in the face of temptation they done their duty.

QUEER RAILROAD MISHAP.
Engine Hits Little Motor Car and Occupant Will Lose a Foot.

WHITE PLAINS, April 19.—Ulysses Hiteman, general foreman for buildings of the Harlem and Putnam division of the New York Central Railroad lines, had a remarkable escape from death this afternoon when a gasoline motor car he was riding in was run down by a light engine not far from Putnam Junction on the Harlem road. The little car, which is used for travelling over the road on inspection tours, was tossed from the rails like a feather. Mr. Hiteman was thrown some distance forward and in such a manner that his right foot was caught under the pony trucks of the engine and so badly crushed that it will have to be amputated.

Mr. Hiteman's home is on West 127th street, Manhattan. He was placed in a casket, to which the light engine was attached and it made the run from Brewster to White Plains, twenty-eight miles, in 44 minutes. There he was put on an express train and taken to New York, where he was removed to a hospital.

DEWEY'S PUSE CLARET WINES
M. T. DEWEY & SONS CO., 115 Fulton St., N. Y.—Ad.

JEWELS UNDER THEATRE SEAT.

St. Regis Guest Hurried to a Train, Forgetting Her Casket.

After the performance at the Lyric Theatre night before last an usher found under a seat a leather jewel case. It was locked. The usher took it to the manager, who put it into the safe.

Yesterday the manager learned over the telephone that Miss Flinn, a daughter of State Senator William Flinn of Pittsburgh, who had been staying at the St. Regis, planned to go home on the 11:30 train the night before, but having a theatre engagement decided to go from the playhouse to the train. She took her jewel box with her and the natural thing to do seemed to be to put it under the seat.

The box was forgotten and it was not until the train had started that Miss Flinn remembered it. At Altoona she sent a telegram to the hotel telling of the loss of her casket. The manager of the hotel called up the theatre and was informed the box was safe. So when Miss Flinn called up from her home yesterday she was informed that the box and its contents would be expressed to her at once.

SAVES MEN SENTENCED TO DIE.
New Minnesota Anti-Capital Punishment Act Put to Quick Use.

ST. PAUL, Minn., April 19.—The thirty-seventh session of the Minnesota Legislature ended at noon to-day. Important bills passed include: One mill tax for good roads, a general forestry bill, popular election of Senators and abolition of capital punishment.

The State Board of Pardons this afternoon commuted the sentences of Michael Rossi of Duluth and Martin O'Malley of Le Sueur Center from hanging to life imprisonment. The board has had this matter under advisement for several weeks, awaiting the action of the Legislature on the bill to abolish capital punishment.

BOY WITH TWO FATHERS.
One Natural, One Adoptive—Bartindale Impugns Kountze Adoption.

Jack W. Bartindale asked Supreme Court Justice Hendrick yesterday to adjudge his former wife, Mrs. Davelle C. Kountze, wife of Augustus F. Kountze, the banker, in contempt for refusing to permit him to see his son, Leslie, 14 years old, for three hours on the first Saturday of every month.

It developed on the argument that after the court made this rule about the father's visits Mrs. Kountze and her husband went to Westchester county and Kountze formally adopted the boy. Mrs. Kountze contends that by reason of this action Bartindale has lost all his rights, since they have been assumed by the boy's foster father. She also contended that Bartindale had forfeited his rights by failing to contribute to the boy's support under the divorce decree.

Bartindale's counsel argued that the adoption is invalid, because the father's consent was necessary. The case is the first of the kind to come up in the local courts, and Justice Hendrick said he would take briefs on the points of law involved.

FIREMEN SAVE DROWNING MAN.
Who Had Fallen off Battery Sea Wall and Looked a Goner.

Two young firemen attached to the fireboat New Yorker jumped off the Battery wall last night and rescued a laborer who had tumbled into the river.

The laborer, Tony Bonai of 214 East Thirtieth street, stood on the south side watching other men working on pile driver next to the Harbor A police station. He toppled in, and before the firemen who got to him appeared to be done for. Fireman Thomas Kelley struggled with the man under the water for a few seconds until aided by Fireman Lawrence J. Easley. The man was taken to the Hudson street hospital.

PARIS GROWS.
Population of French Capital Increased by 124,255 in Five Years.

SPECIAL CABLE DISPATCH TO THE SUN.
PARIS, April 19.—The population of Paris, according to the census completed March 5 last, is 2,846,996, which shows an increase of 124,255 as compared with the census of 1906.

TO TRY FOUR POLICE CAPTAINS.
Maybe More, on Charges of Not Giving the Easy Tasks to the Older Men.

Four police captains are to be tried at Headquarters on charges of failing to obey a telephone order of February 8 that easy details in the precincts be given to the older men.

The captains are Patrick Murphy of the Flushing station, Horatio Young of West New Brighton, Staten Island, who has to face nineteen specifications of the same charge; Donald Grant of the Fourth avenue station, Brooklyn, and Edward C. Barnett of Stapleton, Staten Island. Besides these four, twenty-five lieutenants and captains have been brought to Commissioner Crosey's attention for the same violation.

Capt. Edward Gallagher, who was tried on this charge three weeks ago, was fined ten days' pay.

LEOPARD SCRATCHES A BOY.
Several Men With Sticks Necessary to Beat It Off.

Jacob Sorcher, 9 years old, who